



OBIGO

PATENT  
Docket No.300622002611

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Box Sequence, Assistant Commissioner for Patents, Washington, D.C. 20231, on February 21, 2002

*I.B.P.*  
Irina Britva

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Christopher REEVES et al.

Serial No.: 09/940,316

Filing Date: August 27, 2001

For: POLYNUCLEOTIDES ENCODING THE  
*fkbA* GENE OF THE FK-520  
POLYKETIDE SYNTHASE GENE  
CLUSTER

Examiner: To be Assigned

Group Art Unit: 1652

TRANSMITTAL

Box Sequence  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Attached hereto for filing are the following:

1. Response to Notice to Comply
2. Copy of Notice to Comply
3. A compact disc copy of the substitute Sequence Listing on CD-R  
(COPY 1)  
-Machine format: IBM PC COMPATIBLE  
-Operating system: PC-DOS/MS-DOS  
-File contained on CD: 3006220026.txt (521 KB)  
-Date recorded: February 19, 2002

4. A duplicate compact disc copy of the substitute Sequence Listing on CD-R (COPY 2)
  - Machine format: IBM PC COMPATIBLE
  - Operating system: PC-DOS/MS-DOS
  - File contained on CD: 3006220026.txt (521 KB)
  - Date recorded: February 19, 2002
5. A computer readable form copy of the substitute Sequence Listing on CD-R (CRF COPY)
  - Machine format: IBM PC COMPATIBLE
  - Operating system: PC-DOS/MS-DOS
  - File contained on CD: 3006220026.txt (521 KB)
  - Date recorded: February 19, 2002
6. Return postcard

In the unlikely event that the Patent Office determines that extensions and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or fees due to our Deposit Account No. 03-1952 under Order No. 300622002611. The Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: February 21, 2002

By:

  
\_\_\_\_\_  
Brenda J. Wallach, Ph.D.  
Registration No. 45,193

Morrison & Foerster LLP  
3811 Valley Centre Drive  
Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-7961  
Facsimile: (858) 720-5125



**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/940,316	08/27/2001	Christopher Reeves	300622002611



Carolyn A. Favorito  
Morrison & Foerster LLP  
Suite 500  
3811 Valley Centre Drive  
San Diego, CA 92130-2332

**CONFIRMATION NO. 5488**  
**FORMALITIES LETTER**



\*OC00000007223804\*

Date Mailed: 12/21/2001

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A request to transfer the computer readable form from another application on file at the U.S. Patent and Trademark Office has been submitted as permitted by 37 C.F.R. 1.821(e). However, the request cannot be complied with since there is no compliant CRF present at the United States Patent and Trademark Office. Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE